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Section Superfund

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North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

February 26, 2007

<SAL> <FIRST> <LAST>, County Manager
County of <MUNICIPALITY>
<ADDRESS>
<TOWN>, North Carolina <ZIP>

Subject: Assessment, Cleanup, and Redevelopment of Old Landfill Sites Within Your Jurisdiction

Dear <SAL> <LAST>:

Governor Easley released his proposed budget February 22, 2007. Included in the budget is a specific item I believe should be of interest to you from a fiscal, environmental and public health protection perspective.

There are approximately 700 old landfills statewide and <LANDFILL#> old landfills in your local area that closed before the State permitting system became effective. These landfills are listed on the Old Landfill Sites portion of the Inactive Hazardous Sites Inventory maintained by the Superfund Section, Division of Waste Management. Any person, including local governments, that arranged for disposal or disposed of waste in the landfills may be held liable for the cleanup of the site. I have attached a report that identifies the location of known old landfill sites in <COUNTY NAME> County that may have closed prior to 1983 and thus qualify for the program described in this letter.

The Division has surveyed old landfills in 47 counties. The results of the survey indicate reason for concern about potential public health and safety impacts of these sites if they are not addressed. Seventy percent of the sites surveyed had a school, church, residence, day care or drinking water source within 1000 feet. The Division has found 102 old landfills that have a drinking water well within 500 feet. Thirteen of the landfills surveyed have residences built over the old landfill. The cost of assessment and cleanup of these old landfill sites can be as high as several million dollars.

Governor Easley's budget establishes a partnership between the State and local governments to both clean up the old landfill sites and provide funding for redevelopment of the sites. Many are in prime locations for redevelopment opportunities. The Governor's budget proposes to pay for cleanup and redevelopment of these sites through a surcharge on disposal of solid waste. The funding mechanism is a fair one. It is based on the idea that those who use solid waste disposal facilities should share responsibility for cleanup of sites used for solid waste disposal in the past that may have been lawful at the time, but did not meet standards that we now know are necessary to protect public health and safety.

The proposed \$2.00 per ton disposal surcharge would apply to residential, commercial, industrial, and construction and demolition debris type waste that is either disposed at a landfill or passes through a transfer station for disposal out-of-state. The State would use revenue from the surcharge to contract for cleanup of the old landfill sites and to provide grants to local government for redevelopment. The funds could also be used across the state to clean up other hazardous substance disposal sites that have no viable responsible party.

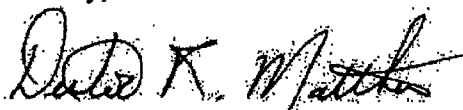
The only tool currently available to the State to ensure cleanup when it is needed is an enforcement action against those who owned, operated, or contributed to old landfills. The Governor's proposal would avoid placing an unreasonable

burden on any one local government and allow us to use our resources for actual cleanup rather than legal action. When old landfill sites were in use, North Carolina citizens, businesses, and industries benefited from their existence as a place to dispose of waste. The surcharge on waste disposal is a way for citizens, businesses, and industries to form a partnership for cleanup and redevelopment of these old landfill sites.

There is great interest this session of the General Assembly in strengthening requirements for landfills permitted in North Carolina. I encourage you to take a close look at legislation that will be introduced, specifically this initiative and what it can bring to your jurisdiction.

If you have questions regarding the program for clean-up of old landfills, please contact Jack Butler, Chief of the Superfund Section, at jack.butler@ncmail.net or call (919)508-8450.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dexter R. Matthews". The signature is fluid and cursive, with the first name "Dexter" being more prominent.

Dexter R. Matthews, Director

cc: David Thompson, NCACC
Jack Butler, Chief – Superfund Section



North Carolina Department of Environment and Natural Resources

Dexter R. Matthews, Director

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary

February 27, 2007

<SAL> <FIRST> <LAST>
<TITLE>, <MUNICIPALITY>
<ADDRESS>
<TOWN>, North Carolina <ZIP>

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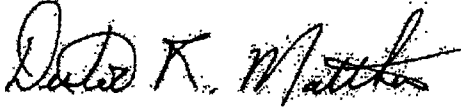
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Dexter R. Matthews, Director

cc: Ellis Hankins, NCLM
Jack Butler, Chief – Superfund Section

The mailing list for these letters is filed in a folder in the first file cabinet drawer for the old landfill sites.

A statewide Old Landfill Inventory report is filed in a folder in the first file cabinet drawer for the old landfill sites.



Deplin
JHR

STATE OF NORTH CAROLINA
DEPARTMENT OF HUMAN RESOURCES
STATE BOARD OF HEALTH

ROBERT W. SCOTT
GOVERNOR
LENOX D. BAKER, M.D.
SECRETARY

P. O. Box 2091
RALEIGH 27602

July 5, 1972

JACOB KOOMEN, M.D., M.P.H.
STATE HEALTH DIRECTOR AND
SECRETARY-TREASURER
W. BURNS JONES, JR., M.D., M.P.H.
ASSISTANT STATE HEALTH DIRECTOR

Ruby Ramsey, Mayor
Town of Teschey
Teschey, North Carolina 28464

Dear Mayor Ramsey:

We are in receipt of your letter of intent pursuant to Section XIII of the North Carolina State Board of Health "Rules and Regulations Providing Standards for Solid Waste Disposal." Your proposal to utilize the county operated disposal facility is acceptable provided the county program is implemented within the time schedule required by these regulations.

At the time the county disposal program is implemented, you will be required to close your present disposal site in accordance with the requirements of Section XIII - C of the regulations.

Very truly yours,

Sidney H. Usry

Sidney H. Usry, Chief
Solid Waste & Vector Control Section
Sanitary Engineering Division

SHU:bm

cc: Mr. Fred J. Wood

W-29

Town of Teachey

North Carolina

July 1, 1972

RECEIVED

JUL 5 1972

SANITARY ENGINEERING
DIVISION

N. C. State Board of Health
Box 2091
Raleigh, N. C. 27602

Attn: Mr. Sidney H. Usry

Gentlemen:

This is to advise that the Town of Teachey plans to go along with the county plan in disposing of our waste.

Very truly yours,

TOWN OF TEACHEY

Ruby Ramsey
Ruby Ramsey, Mayor

RR:ow